

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ALYSSON LEDEMSA §  
§  
*Plaintiff,* §  
§  
v. § CIVIL ACTION NO. 4:23-cv-01983  
§  
TYRUS CANTY AND TRANSAM §  
TRUCKING, INC. §  
§  
*Defendants.* §

**PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS TYRUS CANTY**

In accordance with Federal Rule of Civil Procedure 41(a)(2), Plaintiff requests that Tyrus Carty be dismissed. Defendants have represented in open court, the Joint Pretrial Order, and various filings that Mr. Carty was an employee of TransAm Trucking acting in the course and scope of his employment at the time of the crash. Therefore, TransAm Trucking is vicariously liable for Mr. Carty, and Mr. Carty can be dismissed.

**Request for Relief**

Plaintiff requests that the Court dismiss the claims against Tyrus Carty.

Respectfully submitted,

*/s/ Philip J. Morgan*  
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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that on January 27, 2025, the foregoing was served on all parties through the Court's CM/ECF electronic case filing system.

*/s/ Philip J. Morgan*  
Philip J. Morgan

